**IN THE HIGH COURT OF JUDICATURE OF BOMBAY**

**ORDINARY ORIGINAL CIVIL JURISDICTION**

CHAMBER SUMMONS NO.699 OF 2004
IN
SUIT NO.2652 OF 1988

Mrs.Shirin L.Qadir & Ors. ..Plaintiff.

V/s.

Manharlal P. Khadawala & ors. ..Defendants.

Ms. Nichani for applicant.

Ms.Sarika Khot i/b Akshar Laws for Plaintiff.

Mr.T.K.Sinha for Defendant No.4

Mr.Amit Sinha for defendant No.1.

**CORAM: A.M.KHANWILKAR,J**

**DATE : AUGUST 17, 2005.**

**P.C. :**

1. Heard counsel for the defendant No.1/applicant and for the plaintiffs as well as defendant No.4. Counsel for the plaintiff has no objection if the application succeeds to the limited extent that the report dated 20th March, 2003 is discharged, but this court may expedite the hearing on the issue to be addressed on the basis of evidence already adduced by the parties. Accordingly, this chamber summons succeeds to the above extent.

2. In the circumstances, office to place suit

alongwith the evidence recorded before the Commissioner, keeping all the questions available open for consideration. Hearing of suit is expedited, in the peculiar facts of the present case.

3. Chamber summons disposed of in the above terms.